



FEDERAL REGISTER

VOLUME 2

1934

NUMBER 82

Washington, Thursday, April 29, 1937

DEPARTMENT OF THE INTERIOR.

National Park Service.

RULES AND REGULATIONS

Made, published, and approved by the Secretary of the Interior on the 19th day of April, 1937, and to continue in force and effect until otherwise directed by the said Secretary.

GENERAL PROVISIONS

Pursuant to the authority granted to the Secretary of the Interior by the Act of August 25, 1916 (ch. 408, sec. 3, 39 Stat. 535), as amended, and pursuant to the authority vested in the President under title II, secs. 202 and 209 of the National Industrial Recovery Act (48 Stat. 200, 202, 206), and by the Emergency Relief Appropriation Act of 1935 (49 Stat. 115, 118), and delegated to the Secretary of the Interior by Executive Order No. 7496, November 14, 1936,¹ the following regulations are hereby made and published for the proper use, management, government, and protection of, and maintenance of good order in, all of the Recreational Demonstration Areas which are, or hereafter may be, under the administrative jurisdiction of the National Park Service of the Department of the Interior, except those areas acquired or to be acquired for recreational areas in connection with the Blue Ridge Parkway.

1. *Preservation of Public Property, Natural Features and Curiosities*

The destruction, injury, defacement, removal or disturbance in any way of any public building, sign, equipment, marker, or other structure, or of any tree, flower, vegetation, rock, mineral formation, or of any animal, bird, or other wildlife, or of any ruins or relics, or of any other public property of any kind is prohibited: *Provided*, that flowers may be gathered in small quantities when, in the judgment of the project manager, their removal will not impair the beauty of the area. Before any flowers are picked, permit must be secured from the project manager.

Collections for scientific or educational purposes shall be permitted only in accordance with written permits first had and obtained from the project manager.

2. *Camping*

No camping is permitted outside the specially designated camp sites, except by special permit from the project manager.

Campers shall keep their campgrounds clean. Combustible rubbish shall be burned on camp fires and all other garbage and refuse of all kinds shall be placed in garbage cans provided for the purpose. At new or unfrequented camps, garbage shall be burned or buried.

Campers and others shall not wash clothing or cooking utensils in, or pollute in any other manner, the waters of the recreational demonstration areas.

Only in areas designated by the project manager may campers use any dead or fallen timber for fuel or other purposes.

The installation of permanent camping facilities by visitors is prohibited in all recreational demonstration areas. The digging or leveling of the ground in any camp site without the project manager's permission is prohibited.

Temporary camps must be completely razed and the sites cleaned before the departure of campers. In dismantling camps, all material, such as poles, bark, planks, platforms, etc., used in construction of temporary camps must be removed, and, if combustible, must be piled on the public camp woodpiles.

Campers shall not leave their camps unattended for more than 48 hours without special permission of the project manager, obtained in advance. Camping equipment left unattended in any public camping area for 48 hours or more is subject to removal by order of the project manager, the expense of such removal to be paid by the person or persons leaving such equipment.

No camp may be established in a recreational demonstration area and used as a base for hunting outside such area.

No camp shall be placed within 25 feet of any well-defined water course, water hydrant, or main road.

The project managers may, with the approval of the Director of the National Park Service, establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours.

3. *Bathing*

Bathing in any of the streams or lakes within the recreational demonstration areas is not permitted except at designated bathing places.

4. *Fishing*

Persons desiring to fish in the waters of any recreational demonstration area must secure a sporting fishing license, as required by the laws of the state in which such area is situated. All fishing in such areas must be done in conformity with the laws of the state regarding open seasons, size of fish, and the limit of catch, except as otherwise provided in the following paragraphs.

Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in hand, is prohibited.

Fishing in particular waters may be suspended, or restricted in regard to the use of particular kinds of bait, when the project manager, with the approval of the Director of the National Park Service, shall determine such suspen-

¹ 1 F. R. 2243.



FEDERAL REGISTER

Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the *FEDERAL REGISTER* will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the *FEDERAL REGISTER* should be addressed to the Director, Division of the *Federal Register*, The National Archives, Washington, D. C.

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sion or restriction necessary and shall post such restrictions or suspensions.

5. Picnicking

Picnicking or the eating of lunches is permitted only in areas provided and designated for such use.

6. Protection of Wildlife

The recreational demonstration areas are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing or attempting to capture at any time of any wild birds or other animals, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the recreational demonstration areas unless specifically authorized by the Director of the National Park Service.

During the hunting season, arrangements must be made at entrance stations to identify and transport through the areas, where necessary, the carcasses of birds or animals legally killed outside the areas. Failure to make such arrangements shall be deemed a violation of this regulation.

7. Firearms, Etc.

Firearms, explosives, airguns, sling shots, traps, seines, and nets are prohibited within the areas except upon written permission of the project manager. The project man-

ager may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of official duties.

Visitors entering or traveling through the recreational demonstration areas to places beyond shall, at entrance, report and, if required to do so, surrender all such objects in their possession to the project manager, or his representative, and, in proper cases, may obtain his written permission to carry them through the area sealed. Failure to obtain such written permission shall be deemed a violation of this regulation. The Government assumes no responsibility for the loss of, or damage to, any such objects so surrendered to any project manager, nor are project managers authorized to accept the responsibility or custody of any other property for the convenience of the visitors.

8. Fires

Fires shall be lighted only in designated places. On public campgrounds the regular fireplaces constructed for the convenience of visitors must be used.

No lighted cigarette, cigar, pipe heel, match, or other burning material shall be thrown from any vehicle or saddle horse or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material.

Fires shall be lighted only when necessary and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

If permission has been granted by the project manager for the lighting of any fire away from designated places, such fires shall not be kindled near trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or mineral soil. Should camp be made in a locality where no such open space exists, the dead wood, moss, dry leaves, etc., shall be scraped away to the rock or mineral soil of an area considerably larger than that required for the fire.

If fires are found, put them out if possible and report your action to the nearest Government officer, or immediately notify the nearest Government officer of the location of the fire.

The use of fireworks or firecrackers in the areas is prohibited, except with the written permission of the project manager.

Permission to burn on any cleanup operation within the recreational demonstration areas must first be obtained in writing from the office of the project manager, and in such cases as it is deemed advisable such burning will be under Government supervision. All costs of suppression and all damage caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

9. Sanitation

Garbage, papers, or refuse of any kind shall not be thrown or left on or along roads, in camping or picnic areas, or any other place.

All comfort stations shall be used in a clean and sanitary manner.

Contamination of watersheds, of water supplies, or of any water used for drinking purposes is strictly prohibited.

10. Gambling

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited. Possession of any implement or device commonly used or intended to be used for gambling purposes within any recreational demonstration area is prohibited.

11. Disorderly Conduct

Persons who render themselves obnoxious by disorderly conduct or bad behavior shall be subject to the punishment hereinafter prescribed for violation of these regulations, and may be summarily removed from the recreational demonstration area by the project manager.

12. Radios

The use of radios in public camps, hotels, or other buildings, or in automobiles, is prohibited when audible beyond the immediate vicinity of the radio set. Radios shall not be operated to the annoyance of other persons nor so as to disturb the quiet of camps or other public places.

13. Cameras

Before still pictures may be taken for commercial purposes and before a motion or sound picture requiring the use of artificial or special settings, or special equipment, or involving the performance of a professional cast, may be filmed in any of the recreational demonstration areas, authority must first be obtained, in writing, from the Secretary of the Interior. Still and motion picture cameras may be freely used by amateurs in the recreational demonstration areas for general scenic purposes.

Project managers may issue permits to take still and motion pictures in the recreational demonstration areas under their supervision without such previous authorization by the Secretary of the Interior, in the following circumstances, and on condition that the permittees shall refrain from offering any gratuity of whatsoever nature to any employee of the Government in connection with the exercise of the privilege herein authorized to be granted:

1. Professional photographers and motion picture cameramen desiring to take scenes of, or events in, the recreational demonstration areas as representatives of news concerns and for bona fide news publication;

2. Professional photographers and motion picture cameramen desiring to take scenes of, or events in, the recreational demonstration areas not for sale or for exhibition when paid admissions are charged, but for the purpose of stimulating the use of recreational demonstration areas;

3. Professional photographers and motion picture cameramen desiring to take scenes of, or events in, the recreational demonstration areas, for nonprofit educational purposes;

4. Professional photographers desiring to take park scenes for general artistic purposes.

14. Lost Articles

Persons finding lost articles, should deposit them at the office of the project manager leaving their own names and addresses, so that if the articles are not claimed by the owners within 60 days, they may be turned over to those who found them.

15. Abandonment of Property

The abandonment of any personal property in the recreational demonstration areas is prohibited.

16. Dogs and Cats

Dogs and cats are prohibited in the areas; provided, however, that employees and others may be authorized by the project manager to keep dogs for official purposes, subject to further conditions as may be determined by the project manager.

Day visitors with the permission of the project manager may bring dogs into the areas, provided they are kept on leash.

Stray dogs or cats running at large in the recreational demonstration areas may be killed to prevent molestation of the wildlife therein.

17. Travel on Trails

Persons traveling on the trails of the recreational demonstration areas on saddle animals shall not make short cuts but shall confine themselves to the main trails. Any or all roads and trails in the recreational demonstration areas may be closed to public use by order of the project manager when, in his judgment, conditions make travel thereon hazardous or dangerous, or when such action is necessary to protect the recreational demonstration areas.

Motorcycles shall not be operated upon trails.

18. Restricted Areas

All persons are prohibited from entering restricted areas posted as being closed to the public, except upon written permission from the project manager.

19. Vehicles

The recreational demonstration areas are open to automobiles operated for pleasure but they may not be operated outside the roads provided for them, and may be parked only in designated areas.

Motorcycles are admitted to the recreational demonstration areas under the same conditions as automobiles and are subject to the same regulations, so far as they are applicable.

Trucking over roads in the recreational demonstration areas which are officially posted indicating no trucking is allowed, shall be a violation of these regulations.

House car trailers are admitted to the recreational demonstration areas under the same conditions as automobiles and they may be parked for camping purposes only in areas designated for that purpose. All drainage or dumping refuse directly from trailers is prohibited.

Automobiles, trucks, and other vehicles permitted in the recreational demonstration areas may enter and leave by such entrances and between such hours as shall be determined by the project manager with the approval of the Director of the National Park Service, and indicated by official signs posted for that purpose. All vehicles shall come to a full stop at entrance stations.

There shall not be operated or moved upon any road within the boundaries of any recreational demonstration area any vehicle of any kind the face of wheels or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to injure the roadway. This regulation applies to all rings or flanges upon guiding or steering wheels on any such vehicle, but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

The project manager may, with the approval of the Director of the National Park Service, establish the hours during which any of the roads within the recreational demonstration areas shall be open to the public and the direction of travel thereon. Information regarding such hours and direction of travel may be had upon application at the office of the project manager.

All motor vehicles except motorcycles shall be equipped with two headlights and one or more red taillights, the headlights to be of sufficient brilliancy to insure safety in driving at night, and all lights shall be kept lighted after sunset when the vehicle is on a road, and at all times when passing through unlighted tunnels. Headlights shall be dimmed when meeting other vehicles, riding or driving animals, or pedestrians.

At least one light must be carried on the left front side of all horse-drawn vehicles in a position so as to be visible from both front and rear.

Automobiles and other vehicles shall be so operated as to be under the safe control of the driver at all times. The speed shall be kept within such limits as may be necessary to avoid accidents. Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips is limited to 35 miles per hour on all roads in the recreational demonstration areas unless a different limit be determined by the project manager with the approval of the Director of the National Park Service, and indicated by official signs posted for that purpose.

Any vehicle traveling slowly on any of the roads in the recreational demonstration areas, when overtaken by a faster moving motor vehicle, and upon suitable signal from such overtaking vehicle, shall move to the right to allow a safe passage.

Except in slow-moving traffic, a vehicle shall not follow another vehicle closer than 50 feet, nor closer than 15 feet at any time.

No motor vehicle shall be operated on any highway with clutch disengaged or gear out of mesh except for the pur-

pose of changing or shifting gears or stopping or while being towed, or when such vehicle is equipped with commercial free-wheeling devices.

The horn shall be sounded on approaching sharp curves or other places where the view ahead is obstructed, or before passing other vehicles or pedestrians.

Muffler cut-outs shall be kept closed at all times within the limits of the recreational demonstration areas.

If vehicles stop because of accident or for any other reason, they shall be immediately parked in such a way as not to interfere with travel on the road.

The project manager may limit the time allowed for parking in any parking area upon the posting of signs indicating such limit.

Drivers of all vehicles shall comply with the directions of all official traffic signs posted in the recreational demonstration areas.

No person who is under the influence of intoxicating liquor or narcotic drugs shall operate or drive a motor-driven vehicle of any kind on the roads of the recreational demonstration areas.

20. Advertisements

Private notices or advertisements shall not be posted, distributed, or displayed in the recreational demonstration areas, excepting such as the project manager may deem necessary for the convenience and guidance of the public.

21. Private Operations

No person, firm, or corporation shall engage in or solicit any business in the recreational demonstration areas, excepting such as the project manager may deem necessary for the convenience and guidance of the public.

All persons, firms, or corporations holding franchises in the recreational demonstration areas shall keep the grounds used by them properly policed and shall maintain the premises in a sanitary condition to the satisfaction of the project manager. No operator shall retain in his employment a person whose presence in the area may be deemed by the project manager subversive to the good order and management of the area.

All operators shall require each of their public contact employees to wear a metal badge with a number thereon, or other mark of identification. The name and number corresponding therewith, or the identification mark, shall be registered in the office of the project manager. These badges must be worn in plain sight.

No person shall reside permanently in a recreational demonstration area, except that former resident owners of land acquired for a recreational demonstration area may in very exceptional cases be permitted to remain upon the land where their presence will not interfere with the development or use of the project.

Permittees shall cultivate only that portion of land heretofore in cultivation and the use of said land shall be consistent with good husbandry practices.

Permittees shall maintain all improvements on the land in a reasonable state of repair and shall not, except with the written consent of the project manager, remove or destroy present improvements or erect new improvements. All such additional improvements shall become the property of the United States.

Permittees shall be entitled to a reasonable quantity of wood for their own domestic purposes only and for such purposes may gather fallen timber and such standing timber as may be designated by the project manager.

Permittees shall burn no brush or conduct any land clearing operations except with the written consent of the project manager. Permittees shall be held responsible for any damage caused by fires resulting directly or indirectly from any lack of care on the part of any person or persons working on the lands under permit.

Permittees shall, to the satisfaction of the project manager, provide for the disposal of all refuse, slash, waste, and other debris and for prevention of obstruction, pollution, or deteriora-

tion of springs, ponds, lakes, streams, and water courses on or in the vicinity of lands occupied by them.

Permittees shall be entitled to a reasonable amount of coal from the lands occupied by them for their own domestic purposes only, but they shall not extract for sale any minerals, gravel, oil, gas, or other products from below the surface of the land.

Billboards shall not be erected by the permittees or any advertising matter whatever displayed on the lands occupied by them, and no refreshment goods or products whatever shall be offered for sale on said lands without the written consent of the project manager.

Permittees, adjoining landowners, and all others shall provide against trespass by their livestock upon recreational demonstration areas. All trespasses committed will be punished to the fullest extent provided by law.

22. Motor Boats

The use of boats powered with either inboard or outboard motors is prohibited within the areas except on the lake of the Ozarks unless such use is specifically approved by the Director of the National Park Service.

LOCAL SUBSIDIARY REGULATIONS

Subsidiary regulations necessary to cover local situations and promulgated under general provisions contained in these regulations will be published in the FEDERAL REGISTER and may be seen at the headquarters of the recreational demonstration areas in which they are operative.

PENALTY

Any person who wilfully violates any of the foregoing rules or regulations is punishable by a fine of not to exceed \$1,000.

Approved, April 19, 1937.

[SEAL]

CHARLES WEST,
Acting Secretary of the Interior.

[F. R. Doc. 37-1217; Filed, April 28, 1937; 9:45 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Biological Survey.

AMENDING REGULATIONS RESPECTING GAME ANIMALS, LAND FUR-BEARING ANIMALS, GAME BIRDS, NONGAME BIRDS, AND NESTS AND EGGS OF BIRDS IN ALASKA

Pursuant to the authority and direction contained in section 10 of the Alaska Game Law of January 13, 1925 (43 Stat. 739; U. S. Code, title 48, sec. 198), as amended by act of February 14, 1931 (46 Stat. 1111; U. S. Code, title 48, sec. 198), upon consultation with and recommendation from the Alaska Game Commission, having determined when, to what extent, and by what means game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds may be taken, possessed, transported, bought, or sold in Alaska, I, Secretary of Agriculture, do hereby adopt and publish the following amendments of regulations 3, 4, 5, 6, 9, 14, 18, 19, and 21 under the Alaska Game Law adopted and published March 9, 1936, effective July 1, 1936, permitting and governing the same, said amendments to be effective July 27, 1937:

REGULATION 3—POSSESSION AND TRANSPORTATION OF GAME ANIMALS AND GAME BIRDS

Game animals (except live animals) in numbers not exceeding the maximum seasonal limits prescribed by regulation 11, the hides, heads, and feet of game animals, articles made from such hides, heads, or feet, grouse and ptarmigan, and the skins and feathers of game birds, legally taken during the open season, may be possessed and transported at any time within the Territory by any person: *Provided*, That until dismembered the carcass of any moose, mountain sheep, and/or deer shall not be so mutilated that the sex of the animal cannot be determined: *And Provided*

Further, That any person possessing any game animal, or part thereof, without a valid hunting or trapping license shall furnish on demand to any officer authorized to enforce the Alaska Game Law an affidavit showing the name and license number of the person from whom he received such game animal, or part thereof, together with such other information as the officer may require.

Any person may without a license possess and transport at any time within or out of the Territory the shed antlers of caribou, moose, and deer.

Any person may transport within the Territory during the period constituting the open season therefor migratory game birds legally taken during the open season, and any such migratory game bird or parts thereof in transit during the open season may continue in transit for such additional time immediately succeeding such open season not to exceed 5 days, as may be necessary to deliver the same to their destination and may be possessed within the Territory during the period constituting the open season and for an additional period of 10 days next succeeding such open season, but no person shall possess a greater number of migratory game birds, including ducks, geese, and brant, than is permitted by the regulations of the Secretary of Agriculture under the Migratory Bird Treaty Act.

Any person without a permit or license may possess and transport at any time within or out of the Territory any article manufactured from the skins and feathers of game birds and from the hides or hoofs of caribou, deer, or mountain goats, legally taken.

A nonresident citizen who is the holder of a valid game license, or a nonresident alien who is the holder of an alien special license, may possess and transport at any time within or out of the Territory one moose, three deer, two caribou, excepting if such caribou are from the Alaska Peninsula as particularly described in regulation 11, then only one, two mountain sheep excepting if such sheep are from the Kenai Peninsula as particularly described in regulation 11, then only one, two mountain goats, and two in the aggregate of large brown and grizzly bears, and not to exceed 1 day's bag limit of resident game birds and the maximum possession limit of migratory game birds as prescribed in regulation 13, or any parts of such animals, but no more of any one kind legally taken by him; but before any big-game animal or game bird or part thereof shall be transported out of the Territory, the person desiring to make a shipment shall first make and deliver to the transportation agent at the point of shipment, his affidavit to the effect that he has not violated any of the provisions of the Alaska Game Law or the regulations thereunder; that the big-game animal or game bird or part thereof which he desires to ship has not been purchased or sold and is not being shipped for the purpose of being sold, and that he lawfully killed the animal or game bird and is the owner of it or the part thereof which he desires to ship; and if the shipment consists of a caribou or mountain sheep or part thereof, the statement must show in the case of caribou whether the animal was killed on the Alaska Peninsula, and in the case of mountain sheep whether the animal was killed on the Kenai Peninsula, or elsewhere in the Territory. Such affidavit or affidavits shall accompany the express or freight bills of lading to the port of clearance, there to be taken up by the collector of the port; collectors of customs at ports of clearance shall promptly transmit such affidavits to the Commission.

A resident may export by express, freight, or parcel post for mounting and return to the Territory within 1 year, but not for sale, any game animals, birds, or parts thereof that have been legally acquired by him upon first procuring a resident export license, which license shall accompany the bill of lading when shipment is made by freight or express, and if made by parcel post, the license shall be attached securely to the outside of the package in a conspicuous place. On the return of the trophies to the consignor by express or freight, the export license shall accompany the bill of lading, but if returned by parcel post, the export license shall be attached securely to the outside of the package in a conspicuous place, and the

collector of customs at the port of entry, or the postmaster through whose office it is received, shall detach the export license, note thereon the contents of the shipment, and promptly return the license to the Commission.

In the discretion of the Commission permits may be issued to residents of the Territory for the export of legally acquired game animals, birds, or parts thereof, for purposes other than sale. Such permits may be obtained from any member of the Commission, game warden, or collector of customs upon payment of the required fees. Such animals, birds, or parts thereof, may be shipped by express or freight, and the permit shall accompany the bill of lading covering any such shipment to the port of clearance from the Territory, where such permit shall be taken up by the collector of customs and returned to the Commission.

REGULATION 4.—POSSESSION AND TRANSPORTATION OF FUR-BEARING ANIMALS

Live land fur-bearing animals legally taken during an open season may be retained after the close of said open season or sold for propagation within the Territory: *Provided*, That persons possessing such animals shall report their possession to the Alaska Game Commission at Juneau and apply for a permit to possess such animals pursuant to regulation 22 hereof within 30 days after the close of said open season.

The skins of land fur-bearing animals for which an open season is provided, or parts thereof, when legally acquired, may be possessed and transported by any person at any time, except as hereinafter provided, but no person who is engaged in fur farming or is a fur dealer or an agent of a fur dealer shall possess or transport any fur-bearing animal or part thereof, unless at the time of such possession or transportation he is in possession of a valid license issued to him pursuant to the provisions of the Alaska Game Law, and no person shall possess or transport any illegal skin at any time. In case shipment is made by express or freight, the shipper shall first deliver to the transportation agent at the point shipment is accepted, or if by parcel post to the postmaster at the point of mailing, a statement correctly showing the number and kinds of skins in each shipment and stating further that no illegal skin or unsealed beaver skin is contained therein. Transportation agents and postmasters shall not knowingly accept shipments containing furs without such statement. If shipment is made by express or freight, such statement shall accompany it to the port of clearance, there to be taken up by the collector of the port, or, if by parcel post, by the postmaster at the office where mailed. In case skins or furs are shipped out of the Territory by means other than express, freight, or parcel post, the person transporting them shall deliver such statement to the collector of customs at the port of clearance. Collectors and postmasters shall promptly transmit such statements to the Commission.

Skins of beavers imported into the Territory shall be sealed with a seal prescribed by the Commission within 30 days after such importation, as hereinafter provided.

Persons importing beaver skins and desiring to have them sealed shall within 30 days present them to a member of the Commission, to a game warden, or to any other officer authorized by the Commission to seal skins, together with such proof of entry or affidavit or affidavits as the Commission or any such officer may require.

Persons having taken the skins of beavers shall, within 90 days after the close of the open season during which they were legally taken, personally present them to a member of the Commission, to a game warden, or to any other officer authorized by the Commission to seal or tag skins, together with an affidavit of lawful taking completed on a form adopted and furnished by the Commission and such other affidavit or affidavits as may be required by any officer authorized to seal such skins: *Provided*, That persons residing in remote localities and finding it impracticable to present such skins to an officer authorized to seal them as hereinbefore prescribed, may present such skins, together with affi-

davit of lawful taking completed on a form adopted and furnished by the Commission as hereinbefore prescribed, to any individual authorized by the Commission to attach thereto a tag bearing an authorization permitting such skins, if legally taken, to be sold and transported within the Territory, subject to examination and authentication by a representative of the Commission; and such skins so tagged shall be presented by a lawful possessor to a warden or member of the Commission, or to any other officer authorized by the Commission to seal skins, for sealing within 90 days after the close of the open season during which they were taken: *Provided*, That such commissioner, warden, or officer may require further affidavit or affidavits of the person taking the skins at any time before they are accepted and sealed as legal skins. A person having legally taken the skins of beavers during the open seasons may not sell, trade, or otherwise dispose of such skins until they have been sealed or tagged as hereinbefore provided, and no person may purchase or otherwise procure any such untagged or unsealed skins.

Skins of beavers, unless sealed as prescribed by this regulation may not be possessed or transported by any person after the expiration of the time within which they are required by this regulation to be sealed.

No person who is not a bona fide fur dealer shall possess at any time, unless sealed, numbers of skins of beavers in excess of the seasonal bag limits prescribed by regulation.

REGULATION 5.—MARKING SHIPMENTS OF GAME ANIMALS, GAME BIRDS, LAND FUR-BEARING ANIMALS, OR PARTS THEREOF

Each package in which game animals, game birds, land fur-bearing animals, or parts thereof are transported, shall have clearly and conspicuously marked on the outside thereof the names and addresses of the consignor and consignee and an accurate statement of the number of each kind of game animals, game birds, land fur-bearing animals, or parts thereof, contained therein.

REGULATION 6.—SALE OF GAME ANIMALS AND GAME BIRDS IN CERTAIN PLACES, OF FUR-BEARING ANIMALS AND PARTS THEREOF, AND OF FEATHERS OF DUCKS AND GEESE

Nothing in this regulation shall be construed to permit any person to sell any game animal, game bird, or part thereof, except as hereinafter provided.

Except as hereinafter provided in this regulation and in regulation 7, in that portion of Alaska south of the summit of the Alaska Range and Ahklun Mountains a person who has legally killed caribou may sell the meat thereof, but no person to whom such meat is sold shall sell it otherwise than in cooked form and then only at roadhouses having a permit prescribed by the Secretary.

Except as hereinafter provided in this regulation and in regulation 7, in that portion of Alaska north of the Alaska Range and Ahklun Mountains, a person who has legally killed caribou, moose, and nonmigratory game birds may sell the meat thereof, but no person to whom such meat is sold shall resell it otherwise than in cooked form: *Provided*, That a permit, issued at the discretion of the Commission, shall be required for all restaurants, roadhouses, or public or other eating houses within such area, such permit authorizing the purchase and serving of such meats as provided herein, except that such meats shall not be sold or served within 5 miles of the center line of the Alaska Railroad, or within 5 miles of the center line of the Steese Highway from Fairbanks to and including Chatanika.

Nothing in this regulation shall be construed to permit the transportation to, or possession in, any other part of Alaska, of game meats sold under this regulation.

Any person may without a license buy and sell at any time in the Territory the feathers of wild ducks and wild geese, lawfully killed, and feathers of such birds seized and/or condemned by Federal or Territorial authorities, for use in making fishing flies, bed pillows, and mattresses, and for similar commercial purposes, but not for millinery or ornamental purposes; the hides or parts thereof of moose, caribou, deer, and mountain goats, legally taken during the open season; shed antlers of caribou, moose, and deer; and the

skins and feathers of eagles, crows, hawks, owls, ravens, and cormorants.

A native-born resident Indian, Eskimo, or half-breed who has not severed his tribal relations by adopting a civilized mode of living or by exercising the right of franchise, and a hunter or trapper, may sell without a license the skins of fur-bearing animals which he has lawfully taken.

A person not engaged or employed in the business of trading in such skins may buy without a license the skins of fur-bearing animals for his own use, but he may not sell the skins so purchased.

Any other person who is in possession of a valid license issued pursuant to the provisions of the Alaska Game Law authorizing him so to do may buy and sell the skins of fur-bearing animals at any time, but each such person shall have his license with him when buying or selling skins, except that a person buying or selling skins at an established place shall have his license posted conspicuously on the premises, and each such licensee shall produce his license for inspection by any game warden or other person requesting to see it.

REGULATION 9—METHODS OF TAKING GAME ANIMALS AND GAME BIRDS

*Except in areas enumerated and defined as closed to hunting under regulation 14 and as otherwise specifically permitted by regulations 22 and 23, game animals and game birds may be taken during the open season in the numbers mentioned in regulations 11 and 13 with a bow and arrow, spear, pistol, rifle, or gun not larger than no. 10 gage, by the use of artificial decoys, and from a blind or floating device (other than an airplane, steam or power launch, or any boat other than one propelled by paddle, oars, or pole); but no person shall take any game animal or game bird from a motor vehicle, airplane, steam or power launch, or any boat other than one propelled by paddle, oars, or pole, nor shall any person take any such game animal or game bird with the aid or use of a set gun of any description, a machine or sub-machine gun, a pit, deadfall, fire, jacklight, searchlight, or other artificial light, or by shooting from, on, or across any public highway, or within 33 feet of the center line of any public highway in the First and Third Judicial Divisions of the Territory; or any game animal with the aid or use of a dog, or while swimming, except that no game birds may be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells: *Provided*, That nothing in this regulation shall be construed to permit the hunting of migratory game birds contrary to the Migratory Bird Treaty Act regulations applicable to Alaska.*

REGULATION 14.—CONTINUOUS CLOSE SEASON IN CERTAIN AREAS

Nothing in these regulations shall be construed to permit the taking at any time of any game animal, game bird, or fur-bearing animal—

in Mount McKinley National Park,
in Katmai National Monument,
in Glacier Bay National Monument,
on Kruzof and Partofshikof Islands,
in Eyak Lake closed area, including the drainage area of Eyak Lake and Power Creek, north and east of Cordova, more particularly described as follows: Beginning on the north boundary line of the city limits of the town of Cordova, Alaska, at a point where said boundary line is crossed by the divide between Eyak Lake and Power Creek and Orca Inlet and Orca Bay; thence in a general northeasterly direction along said divide to the intersection with parallel 60°40' north; thence east along said parallel to the intersection with the divide between the watershed of Power Creek and Eyak Lake and the watershed of Ibek Creek; thence in a general southwesterly direction along said divide to the headwaters of Allen Creek; thence southwesterly along the course of Allen Creek to its confluence with Eyak Lake; thence southerly along the shore of Eyak Lake to the northerly side line of the Copper River & Northwestern Railway right of way;

thence in a general westerly direction along the northerly side line of said railway right of way to the intersection with the east boundary line of the city limits of the town of Cordova; thence north along said east boundary of Cordova to the northeast corner of the boundary line of said town; thence west along the northern boundary line of said town to the point of beginning; containing approximately 22,000 acres;

in the Ward Lake area, Tongass National Forest, as posted and described by the United States Forest Service;

in the area of Mitkof Island 1 mile wide along the beach from the creek and cove immediately south of Blind Point to the city limits of Petersburg;

on any bird reservation except under permit or regulation by the Secretary of Agriculture;

on any island occupied under lease or permit for fur-farming purposes except by the occupant thereof;

or in any of the following-described areas along the line of the Alaska Railroad:

1. One-half mile in width situated to the eastward of the center line of the Alaska Railroad between mileposts 40.5 and 41.5.

2. One-half mile in width situated to the westward of the center line of the Alaska Railroad between mileposts 176 and 177.

3. One-half mile in width situated to the westward of the center line of the Alaska Railroad between mileposts 181.5 and 182.5.

4. One-half mile in width situated to the westward of the center line of the Alaska Railroad between mileposts 190 and 191.

5. One-half mile in width situated to the westward of the center line of the Alaska Railroad between mileposts 195.5 and 196.5.

6. One mile in width situated one-half mile to the eastward and one-half mile to the westward of the center line of the Alaska Railroad between mileposts 234.5 and 236.5.

7. One mile in width situated one-half mile to the westward and one-half mile to the eastward of the center line of the Alaska Railroad between mileposts 242 and 243.

8. One-half mile in width situated to the eastward of the center line of the Alaska Railroad between mileposts 250 and 252.

9. Beginning at a point 6 miles north of the Curry Hotel, thence east 1 mile, thence south 7 miles, thence west 2 miles, thence north 7 miles, thence east 1 mile to the place of beginning.

10. One mile in width on each side of the center line of the Alaska Railroad beginning at milepost 247 and extending to milepost 254.

11. One mile in width situated one-half mile to the northward and one-half mile to the southward of the center line of the Alaska Railroad between mileposts 40 and 52.

12. One thousand feet to the eastward and 1,000 feet to the westward of the center line of the Alaska Railroad between mileposts 282 and 293.

Nothing in these regulations shall be construed to permit the taking at any time except under permit of the Secretary of Agriculture of any—

game animal or game bird in Keystone Canyon closed area, including one-half mile on each side of and paralleling the Richardson Highway from milepost 13 (from Valdez) to milepost 20 (from Valdez);

game animal or game bird in the Big Delta closed area described as follows: Beginning at a point on the south bank of the Tanana River 1 mile east of the ferry at Big Delta post office, thence south parallel to the Richardson Highway to a point 1 mile east of and opposite milepost 269 (from Valdez), thence westerly across and to a point on the west bank of the Big Delta River due west of aforesaid milepost 269 (from Valdez), thence north along the west bank of the Big Delta River to its junction with

the south bank of the Tanana River, thence easterly along the south bank of the Tanana River to the place of beginning;

caribou in Steese Highway closed areas, including one-half mile on either side of and paralleling the center line of the Steese Highway from milepost 85 to milepost 88 (Twelve Mile Summit); and from milepost 106 to milepost 111 (Eagle Summit);

beaver or muskrat on the Kodiak-Afognak Islands group;

mountain goat on Baranof or Chichagof Islands; moose between Cape Fairweather and Longitude 141°; deer between Cape Fairweather and Longitude 141°, and in the Kodiak-Afognak Islands group;

buffalo (bison) in any part of Alaska;

musk ox in any part of Alaska;

elk in any part of Alaska;

large brown or grizzly bear in that area of land and water embracing the Glacier Bay National Monument, a part of the Tongass National Forest, and other lands included within the following described boundary: Beginning at the summit of Mount Fairweather, in approximate latitude 58°54' N. and approximate longitude 137°31' W., which point is identical with angle point no. 164 on the international boundary between Alaska and British Columbia and common to the most westerly point of the Glacier Bay National Monument, as established February 26, 1925; thence southwesterly, to Cape Fairweather on the Pacific Ocean, at the northwest corner of the Tongass National Forest, as established June 10, 1925; thence southeasterly, along the Pacific coast, including all islands along the coast, to the center channel of Cross Sound at the point of confluence with the Pacific Ocean; thence northeasterly, easterly, and southeasterly through the center channel of Cross Sound, North Inian Pass, North Passage, and Icy Passage to the center channel of Excursion Inlet at the point of Confluence with Icy Passage; thence easterly to a point on the east shore of Excursion Inlet at the foot of the spur ridge, which point is approximately 3 miles northeast of the Porpoise Island; thence northeasterly, following the summit of the spur ridge to the summit of the watershed between Excursion Inlet and Lynn Canal; thence northerly, northwesterly, and westerly, along the summit of the watershed between Excursion Inlet and Lynn Canal to the intersection of the east boundary of the Glacier Bay National Monument of the watershed divide of Excursion Inlet, Endicott River, and Glacier Bay, which point is in approximate latitude 58°42' N. and approximate longitude 135°41' W.; thence northwesterly, along the east and north boundary of the Glacier Bay National Monument, as now established, to the most northerly corner of said Glacier Bay National Monument, at a point on the international boundary between Alaska and British Columbia; thence southwesterly, along the international boundary between Alaska and British Columbia, through angle points nos. 157, 158, 159, 160, 161, 162, and 163 to the summit of Mount Fairweather, the point of beginning; excepting and reserving from the above-described area, all surveyed lands within fractional Tps. 39 and 40 S., Rs. 57, 58, and 59 E., Copper River Meridian;

large brown or grizzly bear on Afognak Island;

moose on the Alaska Peninsula south and west of Kvichak River, Iliamna Lake, and the old portage from Kamishak Bay to Kakhonak Bay;

moose on the Kenai Peninsula in the area described as follows: Beginning at the true point for the meander corner of fractional secs. 23 and 26, T. 6 N., R. 12 W., on the east shore of Cook Inlet, at low water; the approximate geographic position is in latitude 60°34'17" N., and longitude 151°19'36" W. from Greenwich; thence from said initial point easterly, between secs. 23 and 26 and secs. 24 and 25 to the corner of secs. 19, 24, 25, and 30, T. 6 N., Rs. 11 and 12 W.; thence easterly in T. 6 N., R. 11 W., along the north boundary of secs. 30, 29, and 28, to the NE. corner of sec. 28; thence southerly, along the east boundary of sec. 28 and sec. 33, to the corner of secs. 3, 4, 33, and 34, Tps. 5

and 6 N., R. 11 W.; thence easterly, along the north boundary of secs. 3, 2, and 1, to the NE. corner of T. 5 N., R. 11 W.; thence southerly, along the east boundary of sec. 1 to the meander corner of fractional secs. 1 and 6, on the right bank of the Kenai River; thence up the right bank of the Kenai River, at low water, to the outlet and westerly end of Skilak Lake; thence easterly, along and following the northerly shore of Skilak Lake, at low water, to a point on the northeasterly shore of the said lake at the mouth of the Kenai River; thence northeasterly, up the right bank of the Kenai River, at low water, to a point opposite the mouth of Russian River; this point falls on the west boundary of the Chugach National Forest as defined by Proclamation No. 1307, dated August 2, 1915; thence due north, following the west boundary of the Chugach National Forest as described by Proclamation No. 1741, dated May 29, 1925, to its intersection with Thurman Creek, thence following down the west bank of said creek and the Chickaloon River to Chickaloon Bay on Turnagain Arm of Cook Inlet, at low water; thence westerly and northwesterly, along the shore of Chickaloon Bay, at low water, to Point Possession; thence southwesterly, along the southeast shore of Cook Inlet, at low water, to the true point for the meander corner of fractional secs. 23 and 26, T. 6 N., R. 12 W., the place of beginning;

moose in the drainages of the Chilkoot and the Chilkat Rivers in Southeastern Alaska;

mountain sheep or mountain goat in the eastern part of the Kenai Peninsula east of the center line of the Alaska Railroad;

snowshoe hare on islands of the Kodiak-Afognak Islands group;

raccoon in any part of Alaska;

beaver on Baranof and Chichagof Islands or in the drainage to the Mendenhall Valley east of the main Glacier Highway;

muskrat in the Golovin Bay drainage;

black bear in the drainage to Anan Creek;

large brown or grizzly bear in the following areas on Admiralty Island:

Thayer Mountain area.—Beginning at the foot of the waterfall at the mouth of Hasselborg River on Salt Lake, head of Mitchell Bay; thence along the easterly bank of the Hasselborg River to the outlet of Hasselborg Lake; thence along the west shore of said lake to the outlet of the creek flowing into the head of the lake; thence upstream along the east bank of said creek to the trail crossing; thence in a southwesterly direction along the trail to the head of Thayer Lake; thence along the easterly shore of said lake to the extreme southern end of the lake; thence southeasterly approximately 2 miles in a straight line to the west end of Salt Lake at the head of Mitchell Bay; thence along the line of mean high tide of Salt Lake to the foot of the waterfall on Hasselborg River, the place of beginning; containing approximately 60 square miles;

Pack Creek area.—The entire watershed of Pack Creek, which empties into Seymour Canal near the north side of the entrance to Windfall Harbor; containing approximately 21 square miles;

mountain sheep or mountain goat in the Girdwood closed area described as follows: Beginning at the center of the bridge of the Crow Creek Road over California Creek, at approximately latitude 60°58' north and longitude 149°8' west of Greenwich, as shown on the preliminary topographic map of the Girdwood District, Alaska, 1931, published by the United States Geological Survey; thence on a course bearing due east continuing in a straight line to the west bank of Glacier Creek; thence northeasterly following the west and north bank of said creek and its largest northern tributary to its head; thence along the west side of the glacier it drains to the summit of the divide between Glazier Creek and the drainage to the north at approximately latitude

61°2'30" north, longitude 149° west; thence westerly and northerly along said divide around the head of Raven Glacier to a point where said divide intersects the western margin of the most northern glacier in Raven Creek basin; thence following northeasterly and westerly along the western and southern margin of Eagle Glacier to its termination; thence westerly in a straight line to the junction of Camp and Raven Creeks; thence southwesterly along the south bank of Camp Creek to its head, at the divide between Camp Creek and the North Fork Ship Creek; thence northwesterly down the valley of the North Fork Ship Creek to a small lake in this valley; thence westerly along the south shore of said lake and continuing westerly along the south bank of North Fork Ship Creek to the junction of said creek with its first large tributary from the south, entering it about 1 mile east of Bird Creek Pass; thence southerly along the west bank of said tributary and its most westerly branch to the divide between North Fork Ship Creek and Bird Creek; thence southwesterly in a straight line to the junction of Bird Creek with its first large tributary from the head entering it from the south; thence southeasterly along the northern and eastern side of the stream bed of said tributary to the summit of the divide between the said tributary and the drainage of California Creek; thence southerly along the divide between California Creek and Bird Creek to a summit marked 4322 on the said preliminary topographic map of Girdwood District, Alaska, said point being in approximately latitude 60°59' north, longitude 149°11'15" west; thence southeasterly in a straight line to the point of beginning; containing approximately 77 square miles.

Regulation 18.—Methods of Taking Land Fur-Bearing Animals and Recapture of Escaped Animals

Except in areas enumerated and defined as closed to trapping under regulation 14, land fur-bearing animals may be taken during the open season in any number and in any manner, except by the aid or use of a set gun of any description a shotgun, fire, jack light, pit lamp, searchlight, or other artificial light, by means of a trap or device known as the "klips", or by means of any steel bear trap or any other trap with jaws having a spread exceeding 9 inches, or by means of strichmine, or other poison: Provided, That no dogs shall be used to take any land fur-bearing animal (except polar bears in fur district 8; and wolves and coyotes in fur districts 5, 6, 7, and 8), and no protected fur-bearing animal shall be taken from its home, den, or hole by digging, smoking, or the use of chemicals, and no home, house, den, or runway of a beaver or muskrat shall be injured or destroyed.

Beavers may be taken only by shooting with rifle and by the use of steel traps, but such traps shall not be placed within 25 feet of any beaver house or den. No beaver may be taken by or with the aid of a shotgun.

No fox shall be taken by the use of a trap set within 100 feet of a fox den.

Operators of licensed fur farms from which animals escape from captivity may conduct recapturing operations through the use of legal trapping devices within a period of 30 days after the discovery of escape of the animals. If such operations are conducted during the close season on wild animals of the same species, such operator shall immediately notify the nearest game warden in writing of the numbers and kinds of escaped animals, the kinds of devices being used in recapturing operations, and the locality where such operations are being conducted.

So-called "blackfish traps", commonly used near the Bering Sea coast for the taking of blackfish, shall be properly screened to prevent the capture or killing of land fur-bearing animals.

During the close seasons on land fur-bearing animals in the respective fur districts no person shall set, maintain, or attend traps for wolves, coyotes, or other unprotected animals without first procuring a permit, issuable at the discretion of the Commission, authorizing him to do so. Application for

such permit shall be addressed to the Alaska Game Commission, Juneau, Alaska, and shall contain a statement of the nature and extent of the proposed operations of the applicant.

REGULATION 19.—OPEN AND CLOSE SEASON ON LAND FUR-BEARING ANIMALS

Except in areas enumerated and defined as closed to trapping under regulation 14, land fur-bearing animals may be taken in the specified districts and not to exceed the number of beavers set forth for the specified districts during the following open seasons:

Fur District 1

Mink, marten, land otter, weasel (ermine), fox (red, cross, and silver), and lynx.—December 20 to January 31.

Muskrat.—March 1 to April 30.

Beaver.—No open season.

Black bear.—September 1 to June 20. Bag limit two; Provided, That a resident may kill a black bear at any time or place when such animal is about to attack or molest persons or property.

Wolf, coyote, wolverine, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 2

Mink, marten, land otter, weasel (ermine), fox (red, cross, and silver), and lynx.—December 1 to February 28; except that there shall be no open season in that part of the Kenai Peninsula west of the center line of the Alaska Railroad.

Muskrat.—April 1 to May 31; except on Kenai Peninsula where the open season shall be March 1 to April 30.

Beaver.—April 10 to May 10. Limit, 10 a season.

Black bear.—September 1 to June 20. Bag limit two; Provided, That a resident may kill a black bear at any time or place when such animal is about to attack or molest persons or property.

Wolf, coyote, wolverine, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 3

Mink, Marten, land otter, weasel (ermine), fox (red, cross, silver, white, and blue), and lynx.—December 1 to January 31; except that there shall be no open season for mink, land otter, or weasel (ermine) on Unimak Island.

Muskrat.—March 10 to May 10.

Beaver.—No open season.

Wolf, coyote, wolverine, black bear, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 4

Mink, marten, land otter, weasel (ermine), fox (red, cross, silver, white, and blue), and lynx.—December 1 to February 15.

Muskrat.—March 10 to May 10.

Beaver.—April 10 to May 10. Limit, 10 a season.

Wolf, coyote, wolverine, black bear, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 5

Mink, marten, land otter, weasel (ermine), fox (red, cross, silver, white, and blue), and lynx.—November 16 to March 10.

Muskrat.—North of the Unalakleet River drainage, except Golovin Bay drainage, April 1 to June 7; south of the Unalakleet River, including its drainage April 1 to May 31.

Beaver.—April 25 to May 25. Limit, 10 a season.

Polar bear, wolf, coyote, wolverine, black bear, marmot, and ground squirrel (spermophile).—No close season, may be

taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 6

Mink, marten, land otter, weasel (ermine), fox (red, cross, silver, white, and blue), and lynx.—November 16 to February 20.

Muskrat.—April 1 to May 31.

Beaver.—April 20 to May 20. Limit, 10 a season; except that there shall be no open season in that part of the Tanana River drainage east of the Richardson Highway and east of the divide between the Goodpaster River drainage and the Shaw Creek drainage and the divide between the Goodpaster River drainage and the upper Salcha River drainage.

Wolf, coyote, wolverine, black bear, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 7

Mink, marten, land otter, weasel (ermine), fox (red, cross, silver, white, and blue), and lynx.—November 6 to February 20.

Muskrat.—March 1 to May 31.

Beaver.—April 20 to May 20. Limit, 10 a season.

Wolf, coyote, wolverine, black bear, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

Fur District 8

Mink, marten, land otter, weasel (ermine), fox (red, cross, silver, white, and blue), and lynx.—November 16 to March 31.

Muskrat.—April 10 to June 10.

Beaver.—No open season.

Polar bear, wolf, coyote, wolverine, black bear, marmot, and ground squirrel (spermophile).—No close season, may be taken by any person at any time in a lawful manner. (See regulations 2 and 18.)

REGULATION 21—DUTIES OF FUR FARMERS AND FUR TRADERS

Each licensed fur farmer or fur dealer, including stores operated by missions or otherwise for native Indians, Eskimos, or half-breeds, shall comply with the provisions of all Territorial laws relating to fur farmers and fur dealers, and, at all reasonable hours, shall allow any member of the Commission, any game warden, or any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under these regulations, and to inspect the books and records relating thereto; and each licensed fur farmer shall submit annually a written report on a form prescribed and furnished by the Commission stating the numbers and kinds of fur-bearing animals farmed, numbers and kinds of live fur-bearing animals or pelts bought and/or sold, and methods of farming such animals.

In testimony whereof I have hereunto set my hand and caused the official seal of the United States Department of Agriculture to be affixed in the city of Washington, this 28th day of April, 1937.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-1225; Filed, April 28, 1937; 12:43 p. m.]

Food and Drug Administration.

SERVICE AND REGULATORY ANNOUNCEMENTS

FOOD AND DRUG NO. 4, THIRD REVISION, SUPPLEMENT NO. 4

Under the authority conferred by the amendment of July 8, 1930, to the Federal Food and Drugs Act (sec. 8, par. 5, in the case of food), there are hereby promulgated,

to become effective 90 days from date, a revision of the standard for canned cherries and a standard for canned red sour pitted cherries.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

APRIL 27, 1937.

CANNED CHERRIES

STANDARD OF QUALITY AND CONDITION

43. Standard canned cherries are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, fleshy, mature, unblemished, stemmed, whole fruit of the sweet cherry tree (*Prunus avium*), and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

49 (d). When canned cherries fail to meet the above standard only because of color, but are of a type where the flesh is of some color other than yellowish white, as Bing cherries, black cherries, etc., they shall bear a special statement showing the type to which they belong.

Paragraphs 44 to 49 (c) inclusive remain unchanged.

CANNED RED SOUR PITTED CHERRIES

STANDARD OF QUALITY AND CONDITION

83. Standard canned red sour pitted cherries are the normally flavored and normally colored canned food consisting of (1) the mature, unblemished, stemmed, pitted fruit of the red sour cherry tree (*Prunus cerasus*), and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

MEANING OF TERMS

84. The fruit is "normally colored" if the naturally developed general color of both liquid portion and flesh is red.

85. The fruit is "unblemished" if 85 per cent or more of the units in the container are free from such defects as limb rubs, scars, scabs, wind whips, brown spots, or other unsightly blemishes. Units showing skin discolorations having a total area of a circle $\frac{3}{16}$ inch in diameter or less, with no perceptible discoloration of the fruit tissue under the skin, will not be considered as blemished.

86. The fruit is "pitted" when there is present in a can not more than one cherry pit, or its equivalent in broken pieces of shell, per each 20 ounces of net contents.

SUBSTANDARD QUALITY STATEMENT

87. Canned red sour pitted cherries which fail to meet the above standard shall, except as provided in section (a), bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard"; the explanatory statement, except as provided in section (c) "Good Food—Not High Grade."

(a) When canned red sour pitted cherries fail to meet the above standard only in that they consist of cherries packed in water, they shall bear a special statement showing that fact, such as "Water-pack red sour pitted cherries".

(b) Canned red sour pitted cherries from which only a portion of the pits have been removed, so that there is present more than the amount permitted by paragraph 86, shall bear the statement prescribed in paragraph 87 and also the special statement "Partially pitted cherries."

(c) When canned red sour pitted cherries fail to meet the above standard only in that they are artificially colored, they shall bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard"; the explanatory statement "Because artificially colored."

STANDARD REQUIREMENT FOR FILL OF CONTAINER

88. Canned red sour pitted cherries are of standard fill with respect to packing medium when the drained weight of cherries equals or exceeds the following amounts:

Overall Dimensions Sealed Can		Drained Cherries
Diameter	Height	
Inches $\frac{37}{16}$ $\frac{63}{16}$	Inches $\frac{49}{16}$ 7	Ounces 13.5 74.0

To allow for shrinkage where considerable sugar is used a tolerance of 5 per cent below the above weights is allowed in products showing a Brix of 20° or above. Pending the issuance of standard fill requirements for cans of less usual sizes, red sour pitted cherries in cans of a size not mentioned above will be regarded as of standard fill with respect to packing medium when the drained weight of cherries equals or exceeds 1 ounce for each 2.6 cubic inches inside capacity of the container. Drained weight is determined by draining the contents of the container 2 minutes on an 8-mesh sieve. For containers under 3 pounds net weight, sieves 8 inches in diameter are used. For containers 3 pounds or over net weight, sieves 12 inches in diameter are used. The sieve is tilted as much as possible without shifting of the cherries. Excess liquid is removed by wiping the lower portion of the sieve with a cloth, the solids remaining on the sieve transferred to a tared dish and their weight determined.

SUBSTANDARD FILL STATEMENT

89. Canned red sour pitted cherries which contain a lesser proportion of fruit than required by the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

[F. R. Doc. 37-1226; Filed, April 28, 1937; 12:43 p. m.]

FEDERAL HOME LOAN BANK BOARD.

Home Owners' Loan Corporation.

[Manual Amendment]

RENUMBERING OF CHAPTERS; AUTHORIZATION OF ADVANCES FOR REPAIRS; EFFECTIVE DATE OF RECONDITIONING CHAPTER

Be it resolved, That pursuant to the authority vested in the Board by Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647) and particularly by Sections 4-a and 4-k of said Act as amended, the Reconditioning Chapter of the Consolidated Manual is hereby amended in the following respects:

(1) Sections 501 and 502 are combined into one section and numbered 501. The subsequent sections are correspondingly renumbered so that Section 503 shall be changed to 502; Section 504 to 503; Section 505 to 504; and Section 506 to 505.

(2) Section 502, as renumbered, is hereby amended to read as follows:

Sec. 502. The General Manager may authorize advances for the account of borrowers for repairs to protect the Corporation's interest in cases where borrowers are unable or fail to effect such repairs, and also advances for the account of borrowers for income-producing reconditioning as provided in Section 503. He is authorized also to execute on behalf of the Corporation contracts or other instruments relating to such repairs or income-producing reconditioning. The General Manager, except as otherwise expressly provided by the Board, may incur and approve the amount and payment of fees and expenses in connection with any such advances. Legal fees and expenses in connection with any such advances shall be incurred, approved and paid as provided in Chapter VI of the Manual. The authority herein conferred upon the General Manager may be exercised also by Regional, State and District Managers under procedure and limit-

tations prescribed by the General Manager with the approval of the General Counsel. Advances for the account of the borrower made after the loan was closed shall be repaid in such manner, on such terms, and under such conditions and procedure as the General Manager and the General Counsel shall prescribe.

(3) The effective date of the Reconditioning Chapter¹ of the Consolidated Manual (Chapter V) shall be 110 days after the date of its original adoption, January 19, 1937, Sundays and holidays excluded; and a resolution adopted on March 8, 1937 extending the time for the effective date to 80 days after the original adoption of said chapter is hereby amended to conform to the provisions hereof.

Adopted by the Federal Home Loan Bank Board on April 27, 1937.

[SEAL]

R. L. NAGLE, Secretary.

[F. R. Doc. 37-1218; Filed, April 28, 1937; 10:23 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of April, 1937.

[FILE NO. 2-1407]

IN THE MATTER OF GAGE PROTECTIVE COMMITTEE (SORENO HOTEL COMPANY)

STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of Gage Protective Committee, of St. Petersburg, Florida, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement contains untrue statements of material facts and fails to state material facts required to be stated therein and fails to state material facts necessary to make the statements therein not misleading, and upon the evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement contains untrue statements of material facts and omits to state material facts required to be stated and material facts necessary to make statements made not misleading, all as more fully set forth in the Trial Examiner's report in this matter which is hereby adopted, and being now fully advised in the premises, and the registrant having consented to the entry of a stop order,

It is ordered, pursuant to Section 8 of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Gage Protective Committee, of St. Petersburg, Florida, be and the same hereby is suspended.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-1219; Filed, April 28, 1937; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE HYLAND-CAMPBELL FARM, FILED ON APRIL 22, 1937, BY ANDREW J. BARRETT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offer-

ing sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the present price of oil, as set forth in Division II, Item 1, may not be correct;

(2) In that Division III is not properly signed;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of May, 1937, at 10:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-1220; Filed, April 28, 1937; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE WILCOX-NEUFELD FARM, FILED ON APRIL 22, 1937, BY ANDREW J. BARRETT, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the date upon which the information contained in the offering sheet will be out of date, as set forth in Division I, paragraph 8, is not correct;

(2) In that the present price of oil per barrel, as set forth in Division II, Item 1, does not appear to be correct;

(3) In that if the gravity of oil, as set forth in Division II, Item 18 (b), is correct, the price of oil set forth in Division II, Item 16 (e), is not correct;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein

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alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of May, 1937, at 10:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-1224; Filed, April 28, 1937; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SIMPSON-FELL-WESTHEIMER-BATES FARM, FILED ON APRIL 22, 1937, BY VIRGIL O. KING, INC., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

In that the text and information required to be given in Division II, Items 9 to 16, inclusive, of the offering sheet, are omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of May, 1937, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary

[F. R. Doc. 37-1221; Filed, April 28, 1937; 12:36 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE POWDER RIVER-LEWIS-RHOADES-COOPER-ELLIOTT FARMS, FILED ON APRIL 22, 1937, BY POWDER RIVER BASIN ROYALTY CO., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the address of the royalty owner of record, required to be stated in Division II, Item 2 (d), is omitted from the statements made under this item in connection with the "Deems W. Lewis" and "Albert Rhoades" properties;

(2) In that the statement made in connection with all of the properties described in the offering sheet in Division II, Item 3 (c) (iii), does not appear to be correct;

(3) In that the statement made in Division II, Item 3 (b), in connection with all of the properties set forth in the offering sheet, does not appear to be correct;

(4) In that the statement made in Division II, Item 11 (b), in connection with all of the properties described in the offering sheet, is ambiguous, uncertain and misleading;

(5) In that the statements made in Division II, Items 19 (a) and (b), in connection with all of the properties described in the offering sheet, are ambiguous and misleading;

(6) In that it is not possible to determine the name of the offeror by reason of the fact that the offering sheet is signed as "Attorney in Fact" and the name of the principal is not disclosed;

(7) In that Division III, referred to in the offering sheet in Division II, Item 9, is omitted;

(8) In that Exhibits A and B are omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of May, 1937, at 11:30 o'clock in the forenoon, at the office of the Securities and Ex-

change Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1223; Filed, April 28, 1937; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-MOELLING FARM, FILED ON APRIL 21, 1937, BY SOUTHWEST ROYALTIES COMPANY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

- (1) In that the date upon which the information contained in the offering sheet will be out of date, as set forth in Division I, paragraph 8, is not correct;
- (2) In that the legend required to be given in Exhibit A is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of May, 1937, at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1222; Filed, April 28, 1937; 12:36 p. m.]

